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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,403	12/20/2001	Ernst-Ulrich Simon	2000P80205 US	2081

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Martin A. Farber
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New York, NY 10017

EXAMINER

THOMPSON, GREGORY D

ART UNIT PAPER NUMBER

2835

DATE MAILED: 11/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,403	SIMON, ERNST-ULRICH	
	Examiner	Art Unit	
	Gregory D Thompson	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 14-16 and 19-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 11, 14-16, 19-21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>9-03</u> | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 11, 21, 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11, lines 4-5 and 12-13 are confusing/indefinite rendering the scope of claim 11 undetermined for it appears in lines 4-5 that the diodes are already mounted on "one face" of the board and now lines 12-13 recite "one face" again. Same one face or different one face? Also, lines 5-6 and 10-11 are confusing/indefinite rendering the scope of claim 11 undetermined for it appears in lines 5-6 that the conductor tracks are already on the board and now lines 10-11 recite "are located upon....board" which renders confusing/indefinite language.

Claim 21 contains same confusing/indefinite language discussed above with respect to claim 11 rendering the scope of claim 21 undetermined.

Claim 23, lines 10-13 recite "projects....to reach a plug connection" which is confusing/indefinite rendering the scope of claim 23 undetermined. For example how does the board project to "reach" a plug connection? The plug connection 12 is on the end of the projected part of board 4.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 11, 14-16, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hochstein in view of Pederson.

Hochstein discloses a light source or assembly with LED's 28 mounted alongside one another on a face of board 26 electrically connected to tracks, patterns on board 26. Board 26 is thermally and adhesively mounted/connected to stable mounting board 36a by adhesive 58 on the opposite face to the face where LED's 28 are mounted on board 26. The tracks or patterns would obviously end in known contact pads and lines as known in the board art to electrically interconnect the diodes on board 26. The encapsulate extending as far as the light outlet would be the material usually plastic that surrounds the circuitry of the diodes just like a chip would have for protection. The plastic is labeled in Figure 4.

Hochstein does not disclose a flexible board. Pederson discloses a flexible board 14 with LED's 16 thereon.

Therefore, considered obvious that board 26 could be a flexible board as taught by Pederson to provide ease in mounting to board 36a and provide ease in electrical connection for the diodes in a small place with board 36a providing excellent support and thermal enhancement to LED's 28.

3. Applicant's arguments filed 9/22/03 have been fully considered but they are not persuasive.

Claims 11, 21, 22 and 23 are open loop claims with the language of comprising. The tracks, patterns 39 on board 26 in Hochstein are on/located upon board 26 on the same face as

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LED's 28. The pads 50 conduct heat from each LED 28 through elements 56-58 to board 36a to meet the open loop language of "heat dissipation" when using the language of comprising. Pederson is only relied upon to teach a flexible board with LED's thereon and not for heat enhancement..

The rejection using Cheriff et al in view of Mety, Jr. is withdrawn in view of remarks filed.

4. Claims 21, 23 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The cited art does not teach nor suggest the board projecting beyond a mounting board.

5. Claim 22 is allowed.

The cited art does not teach nor suggest a plug attached to a free end of the one side of the board.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Thompson whose telephone number is (703) 308-2249. The examiner can normally be reached on Mon-Thurs from 6:00 AM to 4:40 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Sehuberg, can be reached on (703) 308-4215. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

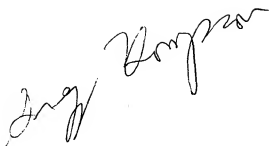
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G THOMPSON/pj

10/29/03

A handwritten signature in black ink, appearing to read "G. Thompson", written diagonally across the page.